

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEVEN CRUZ,

Petitioner,

-against-

WARDEN M.J. KING SUPERINTENDENT
OF CLINTON C.F.,

Respondent.

24-CV-5068 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated August 5, 2024, the Court directed Petitioner, within thirty days, to submit a completed request to proceed in forma pauperis (“IFP application”) or pay the \$5.00 fee required to file a *habeas corpus* petition in this court. That order specified that failure to comply would result in dismissal of the petition. Petitioner has not filed an IFP application or paid the \$5.00 fee. Accordingly, the petition is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this case.

SO ORDERED.

Dated: October 9, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge